

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Mason Wollersheim,
4

5 Plaintiff

6 v.

7 SA Francis T. Ngyuen, et al.,
8

9 Defendants

Case No.: 2:24-cv-00432-JAD-EJY

**Order Granting Unopposed Motions to
Dismiss and Closing Case**

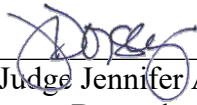
[ECF Nos. 38, 39]

9 Plaintiff Mason Wollersheim is an active-duty soldier at Fort Carson, Colorado, who
10 brings this Federal Tort Claims Act case to challenge his Army court-martial proceedings. The
11 defendants filed motions to dismiss all of his claims on October 16, 2024, arguing that
12 Wollersheim failed to exhaust his administrative remedies, his claims are barred by the *Feres*
13 doctrine or insufficiently pled, and this court lacks personal jurisdiction over the majority of the
14 targeted defendants.¹ Wollersheim's deadline to respond to these motions passed on October 30,
15 2024, without any filing whatsoever.² Local Rule 7-2(d) provides that "[t]he failure of an
16 opposing party to file points and authorities in response to any motion, except a motion under
17 Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of the
18 motion." I apply this local rule and deem Wollersheim's failure to respond to the motions to
19 dismiss as his consent to granting them. IT IS THEREFORE ORDERED that the motions to
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23 ¹ ECF Nos. 38, 39.

² ECF No. 41.

1 dismiss **[ECF Nos. 38, 39]** are **GRANTED** and **this case is DISMISSED**. The Clerk of Court
2 is directed to **ENTER JUDGMENT** accordingly and **CLOSE THIS CASE**.

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U.S. District Judge Jennifer A. Dorsey
December 17, 2024
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